

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 7
	:	
THE MITCHELL GOLD CO., LLC, <i>et</i>	:	Case No. 23-11385-LSS
<i>al.</i> ¹	:	
	:	(Jointly Administered)
Debtor.	:	
	:	

**NOTICE OF AMENDED AGENDA² FOR HEARING
SCHEDULED FOR NOVEMBER 15, 2023 AT 10:00 A.M. ET**

This hearing will be conducted in-person. Any exceptions must be approved by chambers.

Parties may observe the hearing remotely by registering with the Zoom link below no later than November 15, 2023, at 8:00 a.m.

<https://debuscourts.zoomgov.com/meeting/register/vJltd-qurDwoE-o601F8yDMXBCnZDbT1UJI>

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

I. MATTERS GOING FORWARD:

1. Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) [Filed 11/1/2023-D.I. 267]

Response Deadline: 11/8/2023 at 4:00 p.m. ET.
[extended for certain parties to 11/10/2023].

¹ The Debtors in these chapter 11 cases, along with the Debtors' federal tax identification numbers are: The Mitchell Gold Co., LLC (8942) and SG-TMGC, LLC (0248). The Debtors' addresses are, respectively, 135 One Comfortable Place, Taylorsville, North Carolina 28681 and P.O. Box 3417, Little Rock, Arkansas 72203.

² The changes from the Agenda filed on November 13, 2023 at D.I. 296 reflected in this Amended Agenda are marked in **Bold**.

Responses Received:

- a. Maricopa County Treasurer's Response and Limited Objection to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) [Filed 11/7/2023-D.I. 273].
- b. Supplement to Maricopa County Treasurer's Response and Limited Objection to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) [Filed 11/13/2023-D.I. 298].**
- c. Limited Objection of Domain Northhside Retail Property Group, L.P. to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) [Filed 11/7/2023-D.I. 274].
- d. Joinder and Reservation of Rights of Simon Property Group, Inc. to Limited Objection of Domain Northhside Retail Property Group, L.P. to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f). [Filed 11/8/2023-D.I. 277].
- e. Limited Objection of Certain Landlords to Limited Objection of Domain Northhside Retail Property Group, L.P. to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) filed by 1526 14th Street Owner, LLC, Centennial Waterfall Willow Bend, LLC, East Post Realty, LLC, Oakbrook Shopping Center, LLC, Scottsdale Fashion Square, LLC and Tysons Galleria L.L.C. [Filed 11/8/2023- D.I. 281].
- f. Joinder and Reservation of Rights of Pacific Landmark, LLC to Limited Objection of Certain Landlords to Limited Objection of Domain Northhside Retail Property Group, L.P. to Trustee's First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. §§105 and 365 and Federal Rules of Bankruptcy Procedure 6004 (h) and 6006 (a) and (f) [Filed 11/10/2023-D.I. 289].

Related Documents:

- a. Stipulation for Order Between Trustee and Domain Northside Retail Property Owner LP to Reject and Terminate Lease and for Related Relief [Filed 11/9/2023-D.I. 287].
- b. Stipulation for Order to Reject and Terminate Lease with SE Berkley Street, LLC [Filed 11/13/2023-D.I. 291].

- c. **Certification of Counsel Regarding Stipulation for Order to Reject Lease Agreement With 4085 Westheimer Holdings Ltd. [Filed 11/14/2023- D.I. 305].**
- d. **Certification of Counsel Regarding Stipulation for Order to Reject Lease Agreement With SE Berkeley Street, LLC [Filed 11/14/2023- D.I. 306].**
- e. **Certification of Counsel Regarding Stipulation for Order to Reject Lease Agreement With Pacific Landmark LLC [Filed 11/14/2023- D.I. 307].**
- f. **Certification of Counsel Regarding Stipulation for Order Between Trustee and Domain Northside Retail Property Owner LP to Reject and Terminate Lease and for Related Relief [Filed 11/14/2023- D.I. 308].**

Status: This matter is going forward as scheduled.

- 2. Motion of Ryder Last Mile, Inc. for Approval of Stipulation Between Ryder Last Mile, Inc., Trustee, PNC Bank, N.A., The Stephens Group, LLC, Merchant eSolutions, Inc. and American Express Travel Related Services Company, Inc. Regarding Furniture Delivery Protocol [Filed 11/6/2023- D.I. 270].

Response Deadline: 11/15/2023 at the hearing on this matter.

Responses Received: None as of the time of the filing of this amended agenda.

Related Documents:

- a. Certification of Counsel Regarding Stipulation Between Ryder Last Mile, Inc., Trustee, PNC Bank, N.A. and The Stephens Group, LLC Regarding Furniture Delivery Protocol filed by Ryder Last Mile, Inc. – Filed 10/20/23- D.I. 235].
- b. Joint Limited Objection of Merchant E-Solutions, Inc. and American Express Travel Related Services Company, Inc. to Stipulation Between Ryder Last Mile, Inc., Trustee, PNC Bank, N.A. and The Stephens Group, LLC Regarding Furniture Delivery Protocol filed by Ryder Last Mile, Inc. – Filed 10/20/23- D.I. 237].
- c. Motion for Order to Shorten Notice Period and Schedule Expedited Hearing Regarding Motion of Ryder Last Mile, Inc. for Approval of Stipulation Between Ryder Last Mile, Inc., Trustee, PNC Bank, N.A., The Stephens Group, LLC, Merchant eSolutions, Inc. and American Express Travel Related Services Company, Inc. Regarding Furniture Delivery Protocol [Filed 11/6/2023- D.I. 271].
- d. Order Granting Motion for Order to Shorten Notice Period and Schedule Expedited Hearing Regarding Motion of Ryder Last Mile, Inc. for Approval of Stipulation Between Ryder Last Mile, Inc., Trustee, PNC Bank, N.A., The Stephens Group, LLC, Merchant eSolutions, Inc. and American Express Travel Related Services Company, Inc. Regarding Furniture Delivery Protocol [Entered 11/6/2023- D.I. 272].

Status: This matter will go forward.

3. Debtors' Application for Entry of an Order Authorizing Retention and Employment of Rose Law Firm as Special Corporate Counsel to Debtors *Nunc Pro Tunc* to September 6, 2023. ([D.I. 174](#), filed 10/5/23).

Objection Deadline: October 19, 2023, at 4:00 p.m. (ET); extended for the Office of the United States Trustee (the "U.S. Trustee") to November 9, 2023.

Responses Received:

- a. Informal comments from the U.S. Trustee.

Related Documents: None.

Status: The parties are working to resolve the informal comments of the U.S. Trustee. Rose Law Firm will provide an update to the Court at the Hearing. The Chapter 7 Trustee takes no position on this application.

4. Debtors' Application for Entry of an Order Under 11 U.S.C. §§ 327(a), 328(a) and 1107(b), Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr. L.R. 2014-1 and 2016-1, Authorizing Retention and Employment of Rayburn, Cooper & Durham, P.A. as Bankruptcy Co-Counsel for the Debtors *Nunc Pro Tunc* to September 6, 2023 ([D.I. 175](#), filed 10/5/23).

Objection Deadline: October 19, 2023, at 4:00 p.m. (ET); extended for the U.S. Trustee to November 9, 2023.

Responses Received:

- a. Informal comments from the U.S. Trustee.

Related Documents:

- a. Supplemental Declaration of C. Richard Rayburn, Jr., in Support of the Debtors' Application for Entry of an Order Under 11 U.S.C. §§ 327(a), 328(a), and 1107(b), Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr. L.R. 2014-1 and 2016-1, Authorizing Retention and Employment of Rayburn, Cooper & Durham, P.A. as Bankruptcy Co-Counsel for the Debtors *Nunc Pro Tunc* to September 6, 2023 ([D.I. 286](#), filed 11/9/23).

Status: Rayburn, Cooper & Durham, P.A. filed a supplemental declaration in support of their retention application which they believe resolved the informal comments of the U.S. Trustee. This matter is going forward. The Chapter 7 Trustee takes no position on this application.

5. Application of the Debtors for Entry of an Order (I) Authorizing the Retention and Employment of Riveron Management Services, LLC Effective as of September 11, 2023, (II) Approving the Terms of Riveron Management Services LLC's Retention and Employment, (III) Designating Dalton Edgecomb as Chief Restructuring Officer Effective as of September

11, 2023, and (IV) Granting Related Relief ([D.I. 177](#), filed 10/5/23).

Objection Deadline: October 19, 2023, at 4:00 p.m. (ET); extended for the U.S. Trustee to November 9, 2023.

Responses Received:

a. Informal comments from the U.S. Trustee.

Related Documents: None.

Status: The parties are working to resolve the informal comments of the U.S. Trustee. Riveron Management Services, LLC will provide an update to the Court at the Hearing. The Chapter 7 Trustee takes no position on this application.

II. MATTERS SUBMITTED UNDER CERTIFICATE OF NO OBJECTION:

1. Application of the Chapter 7 Trustee for an Order Authorizing the Employment and Retention of Ciardi Ciardi & Astin as Counsel, *Nunc Pro Tunc*, to October 20, 2023 [Filed 10/23/2023-D.I. 240].

Response Deadline: 11/8/2023 at 4:00 p.m. ET.

Responses Received: None.

Related Documents:

- a. Certificate of No Objection [Filed 11/13/2023-D.I. 292]
- b. Proposed Order.

Status: This matter was submitted under Certification of No Objection on 11/13/2023. A hearing on this matter will not be held unless otherwise required by the Court.

III. MATTERS NOT GOING FORWARD:

1. Motion for Relief from the Automatic Stay filed by Salem Leasing Corporation [Filed 10/24/2023-D.I. 245]

Response Deadline: 11/7/2023 at 4:00 p.m. ET.

Responses Received: None.

Status: An Order was entered by the Court on 11/13/2023 granting this motion.

2. Application of Debtors for Entry of an Order Under 11 U.S.C. Section 327, Bankruptcy Rule 2014, and Local Rule 2014-1 Authorizing the Employment and Retention of Morris, Nichols, Arsht & Tunnell LLP as Bankruptcy Counsel to the Debtors *Nunc Pro Tunc* to September 6, 2023 ([D.I. 173](#), filed 10/5/23).

Objection Deadline: October 19, 2023, at 4:00 p.m. (ET); extended for the U.S. Trustee to November 2, 2023.

Responses Received: None.

Related Documents:

- a. Supplemental Declaration of Robert J. Dehney in Support of the Application of Debtors for Entry of an Order Under 11 U.S.C. Section 327, Bankruptcy Rule 2014, and Local Rule 2014-1 Authorizing the Employment and Retention of Morris, Nichols, Arsht & Tunnell LLP as Bankruptcy Counsel to the Debtors *Nunc Pro Tunc* to September 6, 2023 ([D.I. 264](#), filed 10/31/23);
- b. Certificate of No Objection Regarding Application of Debtors for Entry of an Order Under 11 U.S.C. Section 327, Bankruptcy Rule 2014, and Local Rule 2014-1 Authorizing the Employment and Retention of Morris, Nichols, Arsht & Tunnell LLP as Bankruptcy Counsel to the Debtors *Nunc Pro Tunc* to September 6, 2023 ([D.I. 280](#), filed 11/8/23); and
- c. Order Authorizing the Retention and Employment Of Morris, Nichols, Arsht & Tunnell LLP As Bankruptcy Counsel for the Debtors *Nunc Pro Tunc* To September 6, 2023 ([D.I. 293](#), entered 11/13/23).

Status: An order has been entered. No hearing is necessary.

Dated: November 14, 2023
Wilmington, Delaware

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